



Packet No. 111788-00101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William J. Johns, et al.

GAU: 2152

Serial No: 09/765,431

Confirmation No. 9036

Filed: January 22, 2001

Examiner: Chad Zhong

For: SYSTEM AND METHOD FOR CONTINUOUS MONITORING AND MEASUREMENT OF PERFORMANCE OF COMPUTERS ON NETWORK

Request For Continued Examination (RCE) Transmittal

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114. Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on January 11, 2006
 - ii. ☐ Other: _____
 - b. ☒ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other: Petition for Extension of Time
2. Miscellaneous.
 - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).
 - b. ☐ Other: _____
3. Fees. The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to:
 - a. ☒ Deposit Account No. 23-2185
 - i. ☐ RCE fee required under 37 C.F.R. 1.17(e)
 - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. ☒ Other: Any fees associated with maintaining the pendency of this application.
 - b. ☒ Check in the amount of \$ 395.00 enclosed.
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed).

04/06/2006 JADD01 00000029 09765431

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395.00 OP

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Blank Rome LLP
600 New Hampshire Avenue, N.W.
Washington, DC 20037
Tel: (202) 772-5800
Fax: (202) 572-8398
Customer No.: 27557

Respectfully submitted,

David J. Edmondson
Registration No. 35,126

Date: April 4, 2006